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18 Attorneys for USACM Liquidating Trust

19 **UNITED STATES BANKRUPTCY COURT**
 20 **DISTRICT OF NEVADA**

21 In re:

22 USA COMMERCIAL MORTGAGE COMPANY,

23 Case No. BK-S-06-10725-LBR
 24 Case No. BK-S-06-10726-LBR
 25 Case No. BK-S-06-10727-LBR
 26 Case No. BK-S-06-10728-LBR
 27 Case No. BK-S-06-10729-LBR

28 USA CAPITAL REALTY ADVISORS, LLC,

29 CHAPTER 11

30 USA CAPITAL DIVERSIFIED TRUST DEED FUND,
 31 LLC,

32 Jointly Administered Under Case No. BK-S-06-
 33 10725 LBR

34 USA CAPITAL FIRST TRUST DEED FUND, LLC,

35 USA SECURITIES, LLC,

36 Debtors.

37 **NOTICE OF HEARING RE
 38 OBJECTIONS OF THE USACM
 39 LIQUIDATING TRUST TO PROOFS
 40 OF CLAIM FILED BY THE PENSION
 41 BENEFIT GUARANTY
 42 CORPORATION**

43 **Affects:**

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

44 Hearing Date: October 15, 2007
 45 Hearing Time: 9:30 a.m.

46 **THE USACM LIQUIDATING TRUST IS OBJECTING TO THE
 47 AMENDED CLAIMS THAT YOU FILED. UNLESS THE RESPONSE
 48 DEADLINE IS ADVANCED BY THE COURT, THE DEADLINE TO RESPOND
 49 TO THE OBJECTION IS OCTOBER 8, 2007. PLEASE DO NOT CONTACT
 50 THE CLERK OF THE BANKRUPTCY COURT TO DISCUSS THE MERITS OF**

1 **YOUR CLAIM. QUESTIONS REGARDING THE AMOUNT OF A CLAIM OR**
 2 **THE FILING OF A CLAIM SHOULD BE DIRECTED TO THE UNDERSIGNED**
 3 **COUNSEL.**

4 **NOTICE IS HEREBY GIVEN** that the USACM Liquidating Trust, by and
 5 through its counsel, has filed an Objection to the Amended claims of Pension Benefit
 6 Guaranty Corporation (“PBGC”) filed in USA Commercial Mortgage Company, Case
 7 No. 06-10725 on the grounds stated therein. A copy of the Objection is served herewith.

8 **NOTICE IS FURTHER GIVEN** that the hearing on the Objection will be held
 9 before the Honorable Linda B. Riegle, United States Bankruptcy Judge, in the Foley
 10 Federal Building, 300 Las Vegas Boulevard South, Courtroom 1, Las Vegas, Nevada, on
 11 OCTOBER 15, 2007 at the hour of 9:30 a.m. **THE HEARING WILL BE HELD**
 12 **FOR THE PURPOSE OF STATUS CHECKS AND SCHEDULING**
 13 **EVIDENTIARY HEARINGS ONLY. NO ARGUMENTS WILL BE HEARD ON**
 14 **THAT DATE. HOWEVER, IF THERE IS NO RESPONSE TO THE OBJECTION,**
 15 **THE COURT MAY GRANT THE RELIEF REQUESTED IN THE OBJECTION**
 16 **AND DISALLOW THE CLAIMS FILED AGAINST USACM.**

17 **NOTICE IS FURTHER GIVEN** that, unless the response deadline is advanced
 18 by the Court, any response to the Objection must be filed by October 8, 2007 pursuant to
 19 Local Rule 3007(b), which states:

20 If an objection to a claim is opposed, a written response must be filed and
 21 served on the objecting party at least 5 business days before the scheduled
 22 hearing. A response is deemed sufficient if it states that written
 23 documentation in support of the proof of claim has already been provided
 24 to the objecting party and that the documentation will be provided at any
 25 evidentiary hearing or trial on the matter.

26 If you object to the relief requested, you *must* file a **WRITTEN** response to
 27 this pleading with the Court. You *must* also serve your written response on
 28 the person who sent you this notice.

26 If you do not file a written response with the Court, or if you do not serve
 27 your written response on the person who sent you this notice, then:

- 28 • The Court may *refuse to allow you to speak* at the scheduled
 29 hearing; and

1 • The Court may *rule against you* without formally calling the matter
2 at the hearing.

3 Dated: September 11, 2007.

4 **LEWIS and ROCA LLP**

5 By: /s/ RC (#006593)
6 Susan M. Freeman
7 Rob Charles

8 And

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10 Geoffrey S. Goodman (No. 6272539)
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2 PROOF OF SERVICE
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4 Copy of the foregoing e-mailed or mailed first class postage prepaid U.S. Mail on
5 September 11, 2007 to the following parties in interest:
6

7 Frank A. Anderson
8 Pension Benefit Guaranty Corporation
9 Office of the Chief Counsel
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21 /s/ Christine E. Laurel
22 Christine E. Laurel
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